

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

Harold Bunkley,

Plaintiff,

v.

Case No. 09-12784

Federal Express Corporation, Inc. *et al.*,

Honorable Sean F. Cox

Defendants.

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**ORDER OF DISMISSAL**

Acting *pro se*, Plaintiff Harold Bunkley (“Bunkley”) filed this action against Defendants on July 14, 2009. Bunkley did not request to proceed in *forma pauperis* and paid the \$350.00 filing fee to initiate this action.

As of December 18, 2009, however, Bunkley had not served the complaint or taken any other action in this case. Accordingly, on December 18, 2009, this Court issued an Order to Show Cause (Docket Entry No. 2), directing Bunkley to show cause in writing why this case should not be dismissed for failure to prosecute.

Bunkley filed a timely response on January 8, 2010, wherein he states that he would like to pursue his case but, due to financial hardship, he has been unable to find counsel to represent him in this matter. Bunkley asks that he be allowed more time to retain counsel. (Docket Entry No. 3).

Having considered Bunkley’s response, and the length of time that this action has already been pending, the Court granted Bunkley’s request for more time to find counsel in an Order issued on February 10, 2010. That Order stated:

The Court hereby **ORDERS** that within thirty (30) days of the date of this Order, Bunkley must either: 1) proceed in this action *pro se*; or 2) obtain counsel to represent him. If no action has been taken within thirty days of the date of this Order, then this Court will **DISMISS THIS ACTION WITHOUT PREJUDICE**.

(Docket Entry No. 4).

Although more than 30 days have passed, Bunkley has not taken any action as a *pro se* plaintiff, has not served the Defendant, and has not retained counsel. Accordingly, IT IS ORDERED that this action is DISMISSED WITHOUT PREJUDICE for failure to prosecute.

IT IS SO ORDERED.

S/Sean F. Cox

Sean F. Cox

United States District Judge

Dated: April 2, 2010

I hereby certify that on April 2, 2010, a copy of the foregoing document was served upon Harold Bunkley via First Class Mail at the address below:

Harold M.. Bunkley  
14421 Artesian  
Detroit, MI 48223

S/J. Hernandez

Case Manager